

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARLENE BROWN,

Appellant,

v.

LION SHARE INVESTMENTS, LLC,

Appellee.

Case No. [17-cv-05531-EMC](#)

ORDER TO SHOW CAUSE

The above-referenced case is an appeal from a bankruptcy court order. More specifically, Ms. Brown appealed the bankruptcy court's order of September 8, 2017, granting Lion Share's motion for relief from the bankruptcy automatic stay. *See* Docket No. 1 (notice of appeal).

In October 2017, Ms. Brown asked this Court to stay the bankruptcy court's order pending her appeal before this Court. The Court denied the motion. *See* Docket No. 13 (order). Ms. Brown subsequently appealed this Court's order to the Ninth Circuit. *See* Docket No. 18 (notice of appeal). It appears that this appeal is technically still pending before the Ninth Circuit.

Since Ms. Brown's appeal to the Ninth Circuit, no activity has taken place in this Court. For example, it does not appear that Ms. Brown has designated for this Court the record for her appeal of the bankruptcy court's order. *See* Fed. R. Bankr. P. 8009 (designating the record on appeal). Proceedings, however, have continued before the bankruptcy court. Most notably, on January 9, 2018, it appears that the bankruptcy court dismissed the bankruptcy proceedings upon motion by the trustee which Ms. Brown failed to oppose. *See In re Brown*, No. 17-30799 DM (N.D. Cal. Bankr. Ct.) (Docket No. 72) (order of dismissal).

Taking into account the above, the Court hereby issues the following order.

Ms. Brown is hereby ordered to show cause as to why her appeal before this Court (*i.e.*, of

1 the bankruptcy court's order of September 8, 2017) should not be dismissed based on her failure to
2 prosecute the appeal and/or the dismissal of the underlying bankruptcy case.

3 **Ms. Brown's response to this order to show cause shall be filed by February 7, 2018.**
4 **Ms. Brown is forewarned that, if she fails to file a response by this date, the Clerk of the**
5 **Court shall automatically dismiss her appeal before this Court.**

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7 **IT IS SO ORDERED.**

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9 Dated: January 17, 2018

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11 EDWARD M. CHEN
12 United States District Judge
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